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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 WAYNE PERRYMAN, *et al.*,

10 Plaintiffs,

11 v.

12 CITY OF SEATTLE POLICE, *et al.*,

13 Defendants.

No. C17-0274RSL

ORDER DENYING PLAINTIFFS'
MOTION FOR RECONSIDERATION

14 This matter comes before the Court on plaintiffs' "Motion for Reconsideration of
15 Summary Judgment." Dkt. # 45.¹ Motions for reconsideration are disfavored in this district and
16 will be granted only upon a "showing of manifest error in the prior ruling" or "new facts or legal
17 authority which could not have been brought to [the Court's] attention earlier with reasonable
18 diligence." LCR 7(h)(1).


19 Plaintiffs acknowledge that the police officers at the scene had no legal obligation to
20 obtain and review the surveillance video before determining that they had probable cause to
21 arrest Sean Perryman. The Court understands the frustration plaintiffs feel about how Sean
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23 ¹ The Court granted the City defendants' motion to dismiss under Fed. R. Civ. P. 12. Motions to
24 dismiss are decided based on the allegations of the complaint and the key evidence on which the
25 allegations are based (in this case, the documents attached to the complaint and the surveillance videos).
26 The Court did not consider evidence that was not part of the complaint or apply the summary judgment
standards.

1 Perryman was treated at the scene on April 4, 2015. However, while the Court is sympathetic to
2 plaintiffs' wish that the authorities would consider the larger societal issue of whether or not an
3 African-American was mistreated on "moral" grounds, it is the Court's responsibility to limit its
4 review to the legal obligations at issue.

5 Keeping in mind the Court's role, the municipal defendants satisfied their constitutional
6 duties. Even if one were to assume that a more thorough investigation would have convinced the
7 officers that Justin Ismael, rather than Sean Perryman, was the aggressor and/or that certain
8 witnesses were untrustworthy, the Constitution requires a reasonable, not a perfect, investigation
9 when determining probable cause. Although plaintiffs clearly disagree with the Court's
10 conclusion that the officers had probable cause to arrest Sean Perryman, they have not shown
11 manifest error or provided new evidence. Plaintiffs have therefore not met their burden. The
12 motion for reconsideration is DENIED.

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15 Dated this 7th day of June, 2017.

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17 Robert S. Lasnik
18 United States District Judge
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